

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JTH TAX LLC *d/b/a* LIBERTY TAX SERVICE,

Plaintiff,

-v.-

JOSUE SANCHEZ *d/b/a* TRIPLE J; REDHILLS  
CORP.; DON VARGHESE; and MERRICK  
HENRY,

Defendants.

22 Civ. 6160 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

By letter dated January 12, 2023, the Plaintiff and Defendants RedHills Corp. and Merrick Henry reported to the Court that they have reached a settlement in this case. (Dkt. #50). Accordingly, it is hereby:

ORDERED that this action be conditionally discontinued without prejudice and without costs as to Defendants RedHills Corp. and Merrick Henry only; provided, however, that within sixty (60) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of this action as to Defendants RedHills Corp. and Merrick Henry to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial

proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice as to Defendants RedHills Corp. and Merrick Henry in the event that Plaintiff has not requested restoration of its claims against Defendants RedHills Corp. and Merrick Henry to the active calendar within such 60-day period.

At this time, the Court does not request that the Clerk of Court close this action, as there are other Defendants remaining in this case.

SO ORDERED.

Dated: January 13, 2023  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge